

12-03-01

Secker/AH

PATENT

Attorney Docket No. 11006.00

Express Mail Label No. EV 016645406 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Urs MOSIMANN et al.

Serial No.: 09/848,105

Filed: May 2, 2001

For: EXERCISE DEVICE WITH BODY  
EXTENSION MECHANISM

Examiner: Not Yet Assigned

Art Unit: 3764

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

BOX MISSING PARTS

U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 2202

Sir:

The undersigned hereby certifies that the following documents:

1. Response to Notice to File Missing Parts of Application Filing Date Granted (Large Entity);
2. Copy of Notice to File Missing Parts of Application – Filing Date Granted;
3. Copy of Notice of Incomplete Reply (Nonprovisional) Filing Date Granted;
4. Photocopies of the following documents which were filed with the PTO on August 27, 2001:
  - Petition Regarding Allegedly Omitted Figures 4 and 10;
  - Substitute Drawings in compliance with 37 C.F.R. 1.84;
  - Copy of Application as filed on May 2, 2001, including Certificate of Mailing and original drawings and Appendix;
  - Copy of Notice to File Missing Parts;
  - Check for \$130.00;
  - Certificate of Mailing;
  - Return card;
5. Declaration and Power of Attorney (executed);
6. Power of Attorney by Assignee with copy of executed Assignment;
7. Check for \$1,050.00;
8. Certificate of Mailing by Express Mail; and
9. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No.

EV 016645406 US with the United States Postal Service, addressed to BOX MISSING  
PARTS, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on this  
29 day of November, 2001.

\_\_\_\_\_  
Mailer

Robert J. Scheffel  
Robert J. Scheffel, Reg. No. 43,090  
Attorney for Assignee  
DORSEY & WHITNEY LLP  
USPTO Customer No. 20686



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/848,105	05/02/2001	Urs Mosimann	11006.00

CONFIRMATION NO. 7624

20686  
DORSEY & WHITNEY, LLP  
SUITE 4700  
370 SEVENTEENTH STREET  
DENVER, CO 80202-5647

## FORMALITIES LETTER



\*OC000000006881244\*

Date Mailed: 10/10/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 08/27/2001 to the Notice to File Missing Parts (Notice) mailed 06/29/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is unsigned.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/05/2001 RJDNDAF1 00000001 09848105

01 FC:105

130.00 OP

received by the USPTO.


II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY



PATENT  
Attorney Docket No. 11006.00  
Express Mail Label No. EL 809 718 382 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EL 809718382US

In re Patent Application of:

Urs MOSIMANN et al.

Serial No. 09/848,105

Filed: May 2, 2001

For: EXERCISE DEVICE WITH BODY EXTENSION  
MECHANISM

Examiner: Not Yet Assigned

Art Unit: 3764

CERTIFICATE OF MAILING BY EXPRESS MAIL

Box MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the following documents:

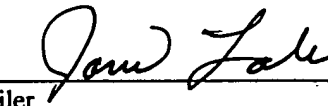

1. Petition Regarding Allegedly Omitted Figures 4 and 10;
2. Substitute Drawings in compliance with 37 C.F.R. 1.84;
3. Copy of Application as filed on May 2, 2001, including Certificate of Mailing and original drawings and Appendix;
4. Copy of Notice to File Missing Parts;
5. Check in the amount of \$130.00;
6. Certificate of Mailing by Express Mail; and
7. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EL 809 718 382 US with the United States Postal Service, addressed to Box MISSING PARTS, Commissioner of Patents, Washington D.C. 20231, on this 27 day of August, 2001.

August 27, 2001

Mailer

August 27, 2001

  
  
Robert J. Scheffel, Reg. No. 43,090  
DORSEY & WHITNEY LLP  
USPTO Customer No. 20686

RECEIVED ON DATE STAMPED BELOW:

Attorney Docket No. 11006.00  
Client No. 456908-342  
Applicant: Urs MOSIMANN et al.  
Serial No. 09/848,105  
Filed: May 2, 2001  
Title: EXERCISE DEVICE WITH BODY EXTENSION  
MECHANISM

1. Petition Regarding Allegedly Omitted Figures 4 and 10
2. Substitute Drawings in compliance with 37 C.F.R. 1.84;
3. Copy of Application as filed on May 2, 2001, including Certificate of Mailing and original drawings and Appendix;
4. Copy of Notice to File Missing Parts;
5. Check in the amount of \$130.00;
6. Certificate of Mailing by Express Mail; and
7. Return Card.

RJS/sd  
Express Mail Label No. EL 809 718 382 US  
Date Mailed: August 27, 2001

Best Available Copy



EL 809718382 US



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370 17TH ST STE 4400		370 17TH ST STE 4400	
DENVER CO 80202-5647		DENVER CO 80202-5647	
456908-342/11006.00		456908-342/11006.00	
3057/LRO/sd		3057/LRO/sd	

SEE REVERSE SIDE FOR SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE

WASHERMAN STA. DENVER CO. AUG 27 2001

CUSTOMER COPY Label 11-F August 2000

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com

**DORSEY & WHITNEY L.L.P.**  
REPUBLIC PLAZA BUILDING, STE. 4700  
370 SEVENTEENTH ST.  
DENVER, CO 80202-5644

13400

23-27020 216

August 27, 2001 DATE

PAY TO THE ORDER OF Director - U.S. Patent and Trademark Office

\$130.00



One Hundred Thirty and 00/100-----DOLLARS

**usbank.**

1-800-673-3555  
usbank.com

3545/456908-342

FOR Payment of Fee for Petition RE: Omitted

Figures 4&10 013400 1020000216122701790000

*Paula Teller*

MP



PATENT  
Attorney Docket No. 11006.00  
Express Mail Label No. EL759299717US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Urs MOSIMANN, et al.

Serial No.

Filed: HERewith

For: EXERCISE DEVICE WITH BODY  
EXTENSION MECHANISM

Examiner:

GAU:

CERTIFICATE OF MAILING BY EXPRESS MAIL

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the enclosed

1. Utility Patent Application Transmittal <sup>(in duplicate)</sup> (Large Entity);
2. Specification (19 pages), Claims (3 pages), and Abstract (1 page);
3. Drawings (7 sheets);
4. Appendix (4 pages) including Fig. 10 (Appendix);
5. Declaration for Patent Application (unsigned) (3 pages);
6. Check in the Amount of \$710.00;
7. Certificate of Mailing by Express Mail; and
8. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EL759299717US with the United States Postal Service, addressed to Box PATENT APPLICATION, Commissioner for Patents, Washington, D.C., 20231, on this 2<sup>nd</sup> day of May, 2001.

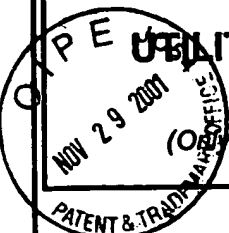
May 2, 2001

Justin M. Sheek  
Mailer

May 2, 2001

Lee R. Osman  
Lee R. Osman, Registration No. 38,260  
Attorney for Assignee  
DORSEY & WHITNEY LLP  
USPTO Customer No. 20686



**UTILITY PATENT APPLICATION TRANSMITTAL  
(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
11006.00Total Pages in this Submission  
46**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**EXERCISE DEVICE WITH BODY EXTENSION MECHANISM**

and invented by:

Urs MOSIMANN, Ueli SCHWEIZER, Vicente MORCILLO-QUINTERO and Victor PERTEGAZ-ESTEBAN

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

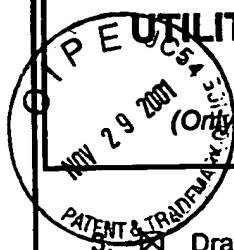
Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 23 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL****(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.

11006.00

Total Pages in this Submission

46

**Application Elements (Continued)**3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)

- a. ☐ Formal                      Number of Sheets \_\_\_\_\_
- b. ☒ Informal                      Number of Sheets Seven (7) + 1 (Appendix)

4. ☒ Oath or Declaration

- a. ☐ Newly executed (original or copy)      ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☐ With Power of Attorney      ☒ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. ☒ Incorporation By Reference (usable if Box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Computer Program in Microfiche (Appendix)7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)

- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy (identical to computer copy)
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail (Specify Label No.): EL75929971TUS

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
11006.00

Total Pages in this Submission  
46

**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☒ Additional Enclosures *(please identify below):*

Appendix having 4 pages total .

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
11006.00

Total Pages in this Submission  
46

## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	11	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$710.00

- ☒ A check in the amount of **\$710.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **04-1415** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).



Signature

Lee R. Osman, Reg. No. 38,260  
DORSEY & WHITNEY LLP  
USPTO Customer No. 20686

Dated: May 2, 2001

cc: